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CITY OF PITTSFIELD

PITTSFIELD CONSERVATION COMMISSION, CITY HALL, 70 ALLEN STREET, PITTSFIELD, MASSACHUSETTS 01201
413-499-9359

**MINUTES
CONSERVATION COMMISSION
Wetlands Protection Act Public Hearing
Berkshire Athenaeum auditorium
Thursday, June 24, 2021 at 6pm**

Chair Conant called the meeting to order at 6:00 p.m. Those in attendance are noted below.

Chair Conant informed all in attendance that in accordance with MGL Chapter 30A, Section 20, voices are being recorded and pictures are being taken of all in attendance.

1. Roll Call

Members Present:

James Conant, Chair
Thomas Sakshaug, Vice Chair
Franz Forster
Nick Caccamo
Elizabeth Calebaugh
Stephanie Storie
Jonathan Lothrop

Members Not Present:

A quorum was present.

Also Present:

Robert Van Der Kar, Conservation Agent
Ted Kozlowski, Clerk

2. New Business:

- A. Continued: Mass DEP File #263-1155: Notice of Intent application for the construction of a building addition with related site work on property located at 13 Taconic Park Drive (Map H13, Block 20, Lot 5). Such actions are proposed to occur within the Riverfront Area associated with the West Branch of the Housatonic River. The applicant is Cavallero Plastics.

No one came forward to speak on the application. The applicant has requested a continuance to the next meeting.

Mr. Van Der Kar gave his review of the application. They are close but are still working on the riverfront mitigation.

Seeing no further debate or discussion, Mr. Sakshaug made a motion to continue the item to the July 14, 2021 meeting; it was seconded by Ms. Calebaugh and was approved unanimously.

- B. Continued: Mass DEP File #263-1158: Notice of Intent application for the use of hydro-rakes and aquatic herbicides/algaecides to manage aquatic nuisance vegetation on property located at 669 Churchill Street in Pittsfield (Map D13, Block 2, Lot 2.) Such actions are proposed to occur within Inland Bank and Land under Waterbody. The applicant is Jeffrey Carr.

No one came forward to speak on the application.

Mr. Van Der Kar gave his review of the application. He has not heard anything from the applicant in quite some time; he will reach out to them.

Chair Conant asked Mr. Van Der Kar to send a letter informing the applicant if they are not present at the next meeting, they will discontinue the hearing without prejudice.

Seeing no further debate or discussion, Mr. Sakshaug made a motion to continue the item to the July 14, 2021 meeting; it was seconded by Ms. Calebaugh and was approved unanimously.

- C. Continued: Mass DEP File #263-1163: Notice of Intent application for the renovation of a single-family house and related site work on property located at 4 Appletree Point in Pittsfield (Map D12, Block 3, Lot 2.) Such actions are proposed to occur within Bordering Land Subject to Flooding. The applicant is Henry Simkin.

Jackson Alberti, Foresight Land Management came forward to speak on the application. The commission had concerns about floodplain elevations on the plan. The plan submitted had a typographical error regarding the vertical datum. They have since submitted a revised plan, containing the correct elevations and boundaries at elevation 1081'. They moved the staging area outside the area. They believe they have addressed all the concerns of the commission.

Mr. Van Der Kar gave his review of the application. The floodplain is accurately drawn.

Seeing no further debate or discussion, Mr. Sakshaug made a motion to issue Order of Conditions 1-31; it was seconded by Ms. Calebaugh and was approved unanimously.

- D. File #21-21: Request for Determination of Applicability for removal of numerous dead trees on property located at 57 Hungerford Street (Map D6, Block 8, Lot 23). Such actions are proposed to occur within Riverfront Area and Land Subject to Flooding. The applicant is Eileen Charon.

No one came forward to speak on the application.

Mr. Van Der Kar gave his review of the application. The trees in question are mostly Ash trees and standing dead due to Ash Borer. They want to prune some trees. There is some yard waste piled along the river which needs to be removed.

Seeing no further debate or discussion, Mr. Sakshaug made a motion to issue a Negative 2 & 3 Determination with the special conditions noted below; it was seconded by Ms. Calebaugh and was approved unanimously.

- All trees proposed to be removed are to be saw cut flush to grade or above with roots remaining in ground.
- All yard waste, including grass clippings and piled leaf detritus is to be removed from areas along the edge of the river and properly disposed of outside of the resource area. The property owner shall discontinue placing said waste in areas within 100' of the river.

E. Mass DEP File #263-1007: Request for a Complete Certificate of Compliance for work performed on property located at 610 Churchill Street (Map E13, Block 1, Lot 1.) The request is being made by Onota Lakefront Properties, LLC.

No one came forward to speak on the application.

Mr. Van Der Kar gave his review of the application. The commission can issue a complete certificate if you are comfortable with the elevations being off a little.

Seeing no further debate or discussion, Mr. Sakshaug made a motion to issue a complete Certificate of Compliance; it was seconded by Ms. Calebaugh and was approved unanimously.

F. Mass DEP File #263-1124: Request for a Complete Certificate of Compliance for work performed within the Eversource F132 electrical utility corridor. The request is being made by Eversource Energy.

No one came forward to speak on the application.

Mr. Van Der Kar gave his review of the application. They need to do a little more work. Other large material needs to be removed; they hope to have it complete by the next meeting.

Seeing no further debate or discussion, Mr. Sakshaug made a motion to continue the item to the July 14, 2021 meeting; it was seconded by Ms. Calebaugh and was approved unanimously.

G. EO 21-05: Ratification of Enforcement Order issued to Todd Driscoll for unauthorized work associated with property located off Blythewood Drive (Map D11, Block 1, Lots 112, 212, 403.)

No one came forward to speak on the application.

Mr. Van Der Kar gave his review of the application. This is unique in that the commission issued an Order on this work. It has already been done and looks good.

Seeing no further debate or discussion, Mr. Sakshaug made a motion to ratify the enforcement order; it was seconded by Ms. Calebaugh and was approved unanimously.

3. Other Business:

A. Minutes from the June 3, 2021 meeting.

Mr. Sakshaug made a motion to accept the minutes with an edit; it was seconded by Ms. Calebaugh and was approved unanimously.

4. Adjournment:

Mr. Sakshaug made a motion to adjourn at 6:20pm; it was seconded by Ms. Calebaugh and was approved unanimously.

Submitted by Ted Kozlowski, Clerk